

FILED ENTERED	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
MAR 14 2011	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
JUAN CARLOS MACIAS-CHAVEZ,)
aka Juan Carlos Munguia,)
aka Mario Munguia,)
Defendant.)
2:09-CR-302-GMN (PAL)

PRELIMINARY ORDER OF FORFEITURE

15 This Court finds that on March 14, 2011, defendant JUAN CARLOS MACIAS-CHAVEZ
16 pled guilty to Counts One, Two, Three, Five, Six, and Seven of an Eight-Count Superseding Criminal
17 Indictment charging him in Count One with Conspiracy to Distribute Methamphetamine, in violation
18 of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A)(viii) and 846; in Counts Two
19 and Three with Possession with Intent to Distribute Methamphetamine, in violation of Title 21, United
20 States Code, Section 841(a)(1) and 841(b)(1)(A)(viii); in Counts Five and Six with Possession with
21 Intent to Distribute Cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and
22 841(b)(1)(C); and in Count Seven with Possession with Intent to Distribute Marijuana, in violation
23 of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(D).

24 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of
25 America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the
26 ...

1 Superseding Criminal Indictment and the offenses to which defendant JUAN CARLOS MACIAS-
2 CHAVEZ pled guilty.

3 The following assets are subject to forfeiture pursuant to Title 21, United States Code, Section
4 853(a)(1); Title 21, United States Code, Section 853(a)(2); Title 18, United States Code, Section
5 924(d)(1), (2)(C), and (3)(B) and Title 28, United States Code, Section 2461(c); and Title 21, United
6 States Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c):

- 7 a. a Glock Model 23, 40 caliber handgun bearing serial number BES848US;
- 8 b. a Marlin .22 caliber rifle bearing serial number 94414112;
- 9 c. any and all ammunition; and
- 10 d. an *in personam* criminal forfeiture money judgment in the amount of \$9,050.00.

11 This Court finds the United States of America is now entitled to, and should, reduce the
12 aforementioned property to the possession of the United States of America.

13 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
14 United States of America should seize the aforementioned property.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
16 JUAN CARLOS MACIAS-CHAVEZ in the aforementioned property is forfeited and is vested in the
17 United States of America and shall be safely held by the United States of America until further order
18 of the Court.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
20 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
21 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
22 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
23 the name and contact information for the government attorney to be served with the petition, pursuant
24 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
26 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
2 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
3 following address at the time of filing:

4 Michael A. Humphreys
5 Assistant United States Attorney
6 Daniel D. Hollingsworth
7 Assistant United States Attorney
Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
9 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
10 following publication of notice of seizure and intent to administratively forfeit the above-described
11 property.

12 DATED this 14 day of March, 2011.

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16 UNITED STATES DISTRICT JUDGE
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